

Notice of Allowability

Application No.

10/696,060

Examiner

Stephen W. Smoot

Applicant(s)

GRUSHIN ET AL.

Art Unit

2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed on 20 June 2006.
2. ☒ The allowed claim(s) is/are 15, 19 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Stephen W. Smoot

Stephen W. Smoot
Patent Examiner
Art Unit 2813

DETAILED ACTION

This Office action is in response to applicant's amendment filed on 20 June 2006.

Response to Arguments

1. Applicant's arguments, see pages 5-7, filed on 29 September 2005, with respect to claim 19 have been fully considered. Upon further consideration of the combined teachings of Tsuboyama et al., Baldo et al., and Forrest et al., it has been determined that this combination does not teach, suggest, or provide motivation for an iridium compound that includes phenylpyridine ligands with one fluorine substituent on the phenyl ring and one trifluoromethyl substituent on the pyridine ring as claimed in independent claim 19. Accordingly, the rejection of claim 19 under 35 USC 103(a) has been withdrawn.

Allowable Subject Matter

2. Claims 15, 19-20 are allowed.
3. The following is an examiner's statement of reasons for allowance:
 - Claim 15 is allowed because the prior art of record does not teach or suggest, in combination with the other claim limitations, an organic electronic device that

Art Unit: 2813

includes an emitting layer that contains at least 20 weight % of an iridium compound that has the applicant's as claimed sixth formula, wherein L' is a trifluoromethyl phenyl phosphine, a dimethyl phenyl isocyanide, a trifluoromethyl phenyl isocyanide, or a toluenesulfonylmethyl isocyanide;

- Claim 19 is allowed because the prior art of record does not teach or suggest, in combination with the other claim limitations, an organic electronic device that includes an electronic transport layer made from an iridium compound that is complexed to two 2-phenylpyridine ligands, wherein the 2-phenylpyridine ligands have identical structures that include a fluorine substituent at the R7 location of the phenyl ring and a trifluoromethyl substituent at the R3 location of the pyridine ring (refer to structure (I) on page 2 of the specification for the general structure of the 2-phenylpyridine ligand); and
- Claim 20 is allowed because the prior art of record does not teach or suggest, in combination with the other claim limitations, an organic electronic device that includes an emitting layer that contains at least 20 weight % of an iridium compound that has the applicant's as claimed sixth formula, wherein L' is an isonitrile that includes an isonitrile substituent on an aromatic group.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen W. Smoot whose telephone number is 571-272-1698. The examiner can normally be reached on M-F (8:00 am to 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.